

The court incorporates by reference in this paragraph and adopts as the findings and orders of this court the document set forth below.



/S/ RUSS KENDIG

Russ Kendig
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

In re:)
) CHAPTER 7
STEVEN LEWIS LODICO,)
) CASE NO. 06-61174
Debtor.)
) ADV. NO. 09-6106
SUPREME COURT OF OHIO)
) JUDGE RUSS KENDIG
Plaintiff,)
) MEMORANDUM OF OPINION
) (NOT FOR PUBLICATION)
v.)
)
STEVEN LEWIS LODICO)
)
Defendant.)

On September 21, 2009, plaintiff filed the complaint that initiated this adversary proceeding. As of January 7, 2010 the defendant has not responded to the complaint.

The Court has jurisdiction over this case pursuant to 28 U.S.C. § 1334 and the general order of reference entered in this district on July 16, 1984. This proceeding is a core proceeding under 28 U.S.C. § 157(b)(2)(A), (K) and (O).

This opinion is not intended for publication or citation. The availability of this opinion, in electronic or printed form, is not the result of a direct submission by the Court.

Federal Rule of Civil Procedure 55, which is made applicable to this proceeding through Federal Rule of Bankruptcy Procedure 7055, states that “[w]hen a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend, and that failure is shown by affidavit or otherwise, the clerk must enter the party’s default.” On December 15, 2009, the plaintiff filed a motion for summary judgment. In the motion, the plaintiff points out that “[d]efendant has not filed any pleadings or otherwise appeared in this adversary proceeding.”

Therefore, default judgment is granted in favor of the Supreme Court of Ohio and against Steven Lewis LoDico as follows:

Defendant’s obligation to Plaintiff arising from the case captioned as *Disciplinary Counsel v. Steven L. LoDico* and designated as Case No. 04-2171 is found to be non-dischargeable pursuant to 11 U.S.C. § 523(a)(7) in the following amounts:

- (a) \$14,318.55 plus interest at the rate of 10% per annum accruing as of December 20, 2005 to present minus a credit of \$31.99;
- (b) \$114.75 for publication costs plus 10% per annum accruing as of October 14, 2006;
- (c) all collection costs assessed pursuant to O.R.C. § 131.02.

Because default judgment has been entered, the Supreme Court of Ohio’s motion for summary judgment is moot, and is therefore denied.

An order will be entered simultaneously with this opinion.

#

Service List:

Supreme Court of Ohio
c/o Trish D. Lazich, AAG
Ohio Attorney General's Office
615 West Superior Ave., 11th flr
Cleveland, OH 44113

Steven Lewis LoDico
4601 Helmsworth NE
Canton, OH 44714

Trish Lazich
Supreme Court of Ohio
Ohio Attorney General's Office
615 W Superior Ave, 11th Floor
Cleveland, OH 44113